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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,592	12/28/2001	Michael J. Lego	010575	8737

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EXAMINER
WEIS, SAMUEL

ART UNIT	PAPER NUMBER
3693	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/033,592	LEGO ET AL.
	Examiner	Art Unit	
	Samuel S. Weis	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 August 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This is in response to the Applicants' amendment filed August 31, 2007. Claim

18 has been amended. New claims 31 and 32 have been added. Claims 1-32 have

been examined.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

3.   Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by McCoy

et al. (hereinafter, McCoy), U.S. Pat. No. 5,649,116.

As to claim 1 / 23, McCoy discloses a computer-assisted method / computer-

readable medium for processing financial information of a client of a financial institution,

said method comprising:

receiving data from an overdraft data source, said data including at least one overdraft

occurrence associated with a transaction performed in association with said client (i.e.

In order to monitor a plurality of associated accounts, the computer has access to the

various account files containing information on the accounts; A warning limit indicates

that the relationship requires attention, but that the transaction may be allowed) (col. 6,

lines 39-41; col. 7, lines 12-14);

analyzing said overdraft occurrence in an overdraft application to determine a cause of

said overdraft occurrence and a disposition for said overdraft occurrence in connection

with said cause (i.e. the system performs a warning limit test to determine whether

the transaction would cause the total exposure of the relationship to exceed the

predetermined warning limit for the relationship, as listed in the relationship profile;

system performs a hold routine, notify routine, or alert limit test) (col. 7, lines 63-67; col.

8, lines 1-12); and

generating an overdraft report (i.e. the system performs an alert routine to alert the

primary relationship officer) (col. 8, lines 21-22).

As to claim 2, McCoy discloses the method of claim 1, wherein said financial

institution includes a banking institution (i.e. the present invention 10 comprises a bank's

computer interconnected with several banking transaction enabling devices) (col. 6,

lines 12-14)

As to claim 3, McCoy discloses the method of Claim 1, wherein said analyzing

step includes analyzing said overdraft occurrence with an overdraft representative (i.e. f

the total exposure would not exceed the alert limit, the system performs a warn routine

notifying the primary relationship officer) (col. 8, lines 13-16).

As to claim 4, McCoy discloses the method of Claim 1, further comprising

receiving said overdraft occurrence into a pending overdraft portion of said overdraft

application (i.e. If the primary officer responds in a timely fashion, then the system will

execute a wait sequence while the primary officer reviews the transaction, the

relationship and any other significant factors) (col. 8, line 44-49).

As to claim 5 / 24, McCoy discloses the method of Claim 1, further comprising

identifying at least one approval authority for said overdraft occurrence (i.e. primary

officer limit exceeded test) (col. 8, line 30).

As to claim 6 / 26, McCoy discloses the method of Claim 5, further comprising

accessing a lending authority database of said overdraft application for identifying said

approval authority (i.e. if the primary officer's authorization limit has not been exceeded,

the system waits for a timely response 306 from the primary officer) (col. 8, lines 33-35).

As to claim 7, McCoy discloses the method of Claim 1, wherein said generating

step further comprises documenting one or more reasons for said overdraft occurrence

in said overdraft report (i.e. alert limit exceeded routine begins by performing an

operations notification routine to notify the primary officer and the bank's operation area

responsible for the payment system originating the transaction that the relationship's

alert limit has been exceeded) (col. 8, 25-28).

As to claim 8, McCoy discloses the method of Claim 1, wherein said generating

step further comprises entering a disposition code into said overdraft report (i.e. system

performs a notification to notify the application requesting the transaction) (col. 8, lines

61-67).

As to claim 9, McCoy discloses the method of Claim 8, wherein said disposition

code includes a recommendation that an action to be taken in response to said

overdraft occurrence which includes paying an item associated with said overdraft

occurrence without charging a fee to said client (i.e. Hold routine then performs a

customer profile access 504 to determine the pricing schedule to be used to determine DOD charges) (col. 9, lines 57-59).

As to claim 10, McCoy discloses he method of Claim 8, wherein said disposition code includes a recommendation that an action to be taken in response to said overdraft occurrence which includes paying an item associated with said overdraft occurrence and charging a fee to said client (i.e. Hold routine then performs a customer profile access 504 to determine the pricing schedule to be used to determine DOD charges) (col. 9, lines 57-59).

As to claim 11, McCoy discloses the method of Claim 8, wherein said disposition code includes a recommendation that an action to be taken in response to said overdraft occurrence which includes returning an item associated with said overdraft occurrence without charging a fee to said client (i.e. If the officer instructs the system not to stage the transaction, a routine to handle denied transactions is performed and a notify application routine is performed) (col. 9, lines 25-29).

As to claim 12, McCoy discloses the method of Claim 8, wherein said disposition code includes a recommendation that an action to be taken in response to said overdraft occurrence which includes returning an item associated with said overdraft occurrence and charging a fee to said client (i.e. If the officer decides not to authorize the transaction, the system executes a transaction denied routine) (col. 9, lines 44-46).

As to claim 13, McCoy discloses the method of Claim 1, further comprising identifying at least one approval authority alternate for addressing said overdraft occurrence (i.e. Backup officer) (col. 8, line37).

As to claim 14 / 26, McCoy discloses the method of Claim 1, further comprising notifying a manager of said overdraft report through electronic mail (i.e. any means of enabling a computer to alert an officer) (col. 6, lines 32-33).

As to claim 15 / 27, McCoy discloses the method of Claim 1, further comprising performing an auto-check of an approval authority amount associated with said overdraft occurrence prior to notifying said manager (i.e. the system next performs an alert limit test to determine whether the transaction would cause the total exposure of the relationship to exceed the predetermined alert limit) (col. 8, lines 11-13).

As to claim 16 / 28, McCoy discloses the method of Claim 1, further comprising transmitting a response by a manager to said overdraft report to said overdraft application (i.e. notifying the primary relationship officer) (col. 8, line 15).

As to claim 17 / 29, McCoy discloses the method of Claim 16, further comprising communicating said manager response to said overdraft data source for disposition of said overdraft occurrence (i.e. system waits for a timely response from the primary officer) (col. 8, lines 35-37).

As to claim 18 / 30, McCoy discloses the method of Claim 16, wherein if no response to said overdraft report is provided by said manager, communicating a default response to said overdraft data source for disposition of said overdraft occurrence (i.e. If a timely response is not received from the primary officer, the system performs a notification routine to notify the operations area and a backup officer) (col. 8, lines 35-39).

As to claim 19, McCoy discloses A system for processing financial information of

a client of a financial institution, said system comprising:

an overdraft application for receiving data from an overdraft data source, said data

including at least one overdraft occurrence associated with a transaction performed in

association with said client, said overdraft application configured for analyzing said

overdraft occurrence to determine a cause of said overdraft occurrence and a

disposition for said overdraft occurrence in connection with said cause (i.e. In order to

monitor a plurality of associated accounts, the computer has access to the various

account files containing information on the accounts; A warning limit indicates that the

relationship requires attention, but that the transaction may be allowed) (col. 6, lines 39-

41; col. 7, lines 12-14); (i.e. the system performs a warning limit test to determine

whether the transaction would cause the total exposure of the relationship to exceed the

predetermined warning limit for the relationship, as listed in the relationship profile;

system performs a hold routine, notify routine, or alert limit test) (col. 7, lines 63-67; col.

8, lines 1-12); (i.e. the system performs an alert routine to alert the primary relationship

officer) (col. 8, lines 21-22) and,

a server connection for communicating an overdraft report associated with said

analysis of said overdraft occurrence (i.e. in order to alert the appropriate officers at the

bank of important account-related events (such as a predetermined limit being

exceeded), the computer is connected to alerting means, ... any means of enabling a

computer to alert an officer could be used) (col. 6, lines 27-33).

As to claim 20, McCoy discloses the system of Claim 19, further comprising at least one database operatively associated with said overdraft application for receiving at least one pending overdraft occurrence (i.e. computer interfaces with the bank's existing customer information file system) (col. 6, lines 47-49).

As to claim 21, McCoy discloses the system of Claim 19, further comprising at least one lending authority database operatively associated with said overdraft application for identifying at least one approval authority for said overdraft occurrence (i.e. CIF system provides information as to how different accounts are related to each other) (col. 6, lines 50-51).

As to claim 22, McCoy discloses the system of Claim 19, further comprising a mail server configured for communicating said overdraft report to said manager (i.e. other such means include: electronic connections to phone-mail systems, printers, and facsimile machines) (col. 6, lines 34-36).

As to claim 31, McCoy discloses a computer-assisted method for processing financial information of a client of a financial institution, said method comprising: receiving data from an overdraft data source, said data including at least one overdraft occurrence associated with a transaction performed in association with said client(i.e. In order to monitor a plurality of associated accounts, the computer has access to the various account files containing information on the accounts; A warning limit indicates that the relationship requires attention, but that the transaction may be allowed) (col. 6, lines 39-41; col. 7, lines 12-14);

analyzing said overdraft occurrence in an overdraft application to determine a cause of

said overdraft occurrence and a disposition for said overdraft occurrence in connection

with said cause (i.e. the system performs a warning limit test to determine whether

the transaction would cause the total exposure of the relationship to exceed the

predetermined warning limit for the relationship, as listed in the relationship profile;

system performs a hold routine, notify routine, or alert limit test) (col. 7, lines 63-67; col.

8, lines 1-12);

generating an overdraft report, wherein generating said report includes documenting

one or more reasons for said overdraft occurrence in said overdraft report and entering

a disposition code into said report, wherein said disposition code includes a

recommendation that an action to be taken in response to said overdraft occurrence

(i.e. the system performs a warning limit test to determine whether the transaction would

cause the total exposure of the relationship to exceed the predetermined warning limit

for the relationship, as listed in the relationship profile; system performs a hold routine,

notify routine, or alert limit test) (col. 7, lines 63-67; col. 8, lines 1-12) (i.e. system

performs a notification to notify the application requesting the transaction) (col. 8, lines

61-67).

As to claim 32, McCoy discloses a computer-assisted method for processing

financial information of a client of a financial institution, said method comprising:

receiving data from an overdraft data source, said data including at least one overdraft

occurrence associated with a transaction performed in association with said client (i.e.

In order to monitor a plurality of associated accounts, the computer has access to the

various account files containing information on the accounts; A warning limit indicates

that the relationship requires attention, but that the transaction may be allowed) (col. 6,

lines 39-41; col. 7, lines 12-14);

analyzing said overdraft occurrence in an overdraft application to determine a cause of

said overdraft occurrence and a disposition for said overdraft occurrence in connection

with said cause (i.e. the system performs a warning limit test to determine whether

the transaction would cause the total exposure of the relationship to exceed the

predetermined warning limit for the relationship, as listed in the relationship profile;

system performs a hold routine, notify routine, or alert limit test) (col. 7, lines 63-67; col.

8, lines 1-12);

generating an overdraft report, wherein generating said report includes documenting

one or more reasons for said overdraft occurrence in said overdraft report and entering

a disposition code into said report, wherein said disposition code includes a

recommendation that an action to be taken in response to said overdraft occurrence

which includes at least one of: i. charging a fee to said client, ii. charging a fee to said

client, paying an item associated with said overdraft occurrence without paying an item

associated with said overdraft occurrence, iii. returning an item associated with said

overdraft occurrence without charging a fee to said client, or iv. returning an item

associated with said overdraft occurrence and charging a fee to said client (i.e. the

system performs a warning limit test to determine whether the transaction would cause

the total exposure of the relationship to exceed the predetermined warning limit for the

relationship, as listed in the relationship profile; system performs a hold routine, notify

routine, or alert limit test) (col. 7, lines 63-67; col. 8, lines 1-12) (i.e. system performs a

notification to notify the application requesting the transaction) (col. 8, lines 61-67) (i.e.

Hold routine then performs a customer profile access 504 to determine the pricing

schedule to be used to determine DOD charges) (col. 9, lines 57-59).

Response to Arguments

4.   Applicant's arguments filed August 31, 2007 have been fully considered but they

are not persuasive.   Applicant argues that McCoy does not teach, disclose, or suggest

"analyzing said overdraft occurrence in an overdraft application to determine a cause of

said overdraft occurrence." The Examiner respectfully disagrees. The system performs

a warning limit test to determine whether the transaction would cause the total exposure

of the relationship to exceed the predetermined warning limit for the relationship, as

listed in the relationship profile; system performs a hold routine, notify routine, or alert

limit test) (col. 7, lines 63-67; col. 8, lines 1-12). See also Figs. 3, 4A, and 4B. The

cause of the overdraft occurrence would be exceeding the warning limit.

Applicant argues that McCoy does not teach, suggest, or disclose "entering a

code into said overdraft report" and "a recommendation that an action to be taken in

response to said overdraft occurrence." The Examiner respectfully disagrees. The

system performs an alert routine to alert the primary relationship officer) (col. 8, lines

21-22). This alert is a report to the primary relationship officer who in turn takes an

action or recommends an action based on the alert. See also Figs. 2, 3, 4A, and 4B.

Applicant defines the term "overdraft" as including the condition of having a negative financial position. Exceeding balance and exposure limits qualifies as a negative financial position.

Applicant argues that McCoy does not teach, suggest, or disclose an "overdraft report." The Examiner respectfully disagrees. The system performs an alert routine to alert the primary relationship officer) (col. 8, lines 21-22). This alert is a report to the primary relationship officer who in turn takes an action or recommends an action based on the alert. See also Figs. 2, 3, 4A, and 4B.

Conclusion

5.	**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel S. Weis whose telephone number is (571) 272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.
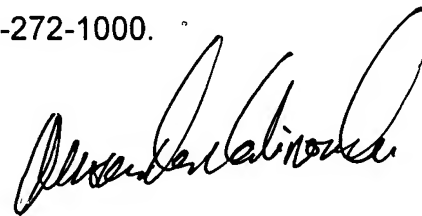
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SSW

ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER